



POLICE DEPARTMENT

Peter Carey
Chief of Police

DATE: April 23, 2016
TO: Chief of Police Peter Carey (via Chain of Command)
FROM: Sgt. Joel Kern (edited Lt Strossner)
SUBJECT: 2015 Use of Force Report / EIP Report

This report is submitted as the 2015 Annual Early Intervention and Use of Force Report. The report will begin with a review of the Early Intervention Program (EIP) outlining the EIP triggering criteria, total reviews conducted in 2015, and a brief description of the outcomes.

EIP PROGRAM REVIEW

The Early Intervention Program (EIP) is to assist supervisory personnel in identifying employees who show symptoms of job stress or performance problems. Symptoms may result in allegations of misconduct, officer involvement in accidents, or involvement in a high number of critical incidents. The purpose of the program is threefold: 1) Pro-actively identify employees who need assistance or training to perform their assigned duties efficiently and effectively; 2) Is a manifestation of the department's concern for the wellbeing of all employees; and, 3) Ensure that the department is not faced with serious case of misconduct which resulted from an unnoticed, escalating pattern of conduct that could have been abated by earlier intervention.

The following are the guidelines used for the generation of an EIP review for each officer/employee who meets any of these thresholds:

For the immediate previous **6 month** period:

1. Involved in **three or more use of force incidents** for employees working Shift I and Shift II.
2. Involved in **four or more use of force incidents** for employees working Power (1700) and Shift III.
3. Named as the "Subject" in any combination of **two or more service-related citizen complaints** Level I investigations and/or Level II Investigations with a final disposition of **Sustained or Not Sustained**.
4. Been involved in **two or more motor vehicle accidents** while on-duty, regardless of fault.
5. Been involved in **two or more deadly force incidents** and/or accidental discharge of a firearm.

For the immediately previous **12 month** period:

1. Involved in **four or more use of force incidents** for employees working Shift I and Shift II.
2. Involved in **five or more use of force incidents** for employees working Power (1700) or Shift III.
3. Named as the "Subject" in any combination of **four or more service-related citizen complaints** (Level I investigations) and/or Level II Investigations with a final disposition of **Sustained or Not Sustained**.
4. Been involved in **three or more motor vehicle accidents** while on-duty, regardless of fault.
5. Been involved in **three or more deadly force** incidents during their career with CSPD.

A use of force incident, for purposes of EIP, is defined as the use of:

- 1) A Chemical Agent
- 2) Pain Compliance Tools (Intentionally Caused Pain to cause submission)
- 3) Hard Control, Closed Hand and Kick Tactics
- 4) Impact Weapons
- 5) Electronic Control Device
- 6) Less Lethal Shotgun / 40mm Launcher
- 7) Lethal Force
- 8) Any force technique that results in a visible injury, including but not limited to, contusions, scrapes/abrasions, lacerations, swelling of any body part or bone of any person.

Uses of force meeting any of these criteria require the completion of a Response to Aggression (RTA) form and a case or incident report.

EIP Qualification and Reviews

Twenty-one (21) officers met the review threshold in 2015. In 2014, Twenty-Three (23) officers were reviewed. The twenty-one officers were reviewed for a total of thirty-two (32) times. This accounts for officers who were reviewed more than one time.

The top row of the chart below represents the total number of officers that were reviewed each year. Of the 21 officers reviewed the first time in 2015, five of those were reviewed a second time. Of the five reviewed a second time, four were reviewed a third time. Of those four, two received a fourth EIP review.

# of EIP Reviews	2011	2012	2013	2014	2015
First review	34	26	23	23	21
Second review	3	3	8	3	5
Third Review	0	1	3	2	4
Fourth Review	0	0	1	1	2

Reviews generated under the EIP program did not result in the intervention of any employee. In other words, the EIP reviews did not disclose any behavioral concerns that required additional employee intervention. The EIP program has not effectively identified anyone as at-risk employee for several years. The program will undergo review and possible revision in within the next couple of years.

Use of Force Analysis

Deadly Force

Deadly Force is defined as the intentional use of force which can cause death or serious bodily injury, or which creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious bodily injury. Determining an incident as a deadly force incident does not necessitate the death of the suspect. In 2015, officers used deadly force in five incidents. In some of these incidents multiple officers were included. For example, on October 31, 2015 four officers were involved. The table below documents the deadly force incidents and subsequent injuries or fatalities. There have been no officer fatalities due to violent actions of a suspect since December 2006.

Year	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Deadly Force	2	3	1	2	5
Suspect Injured	1	1	0	2	1
Suspect Fatalities	1	2	0	0	2
Officer Fatalities	0	0	0	0	0

Over the past five years, the department has averaged 2.6 uses of deadly force per year.

Less Lethal Force

Force Option	2011	2012	2013	2014	2015
Conducted Energy Device (CED)	129	119	171	142	147
PR-24	1	3	2	4	9
OC	34	15	31	25	52
Bean Bag	1	1	1	0	2
40MM	**	4	7	6	2
Hands On	154	152	123	140	146
Compliance Hold	*	47	89	121	141
Take Down	*	37	51	71	34
Other	27	*	*	*	*
Total Uses	346	378	475	509	533

*Category not tracked until 2011. With the implementation of IAPro, we are able to track uses of force in detail; therefore, the other category will apply only in 2011.

**40mm was released in 2012.

In 2015, there were 337 Use of Force Incidents that involved 441 officers. In 2014, there were 326 Use of Force Incidents that involved 399 officers. The percentage increase for Use of Force Incidents is 3.4% and the number of officers involved increased by 10.5%. The

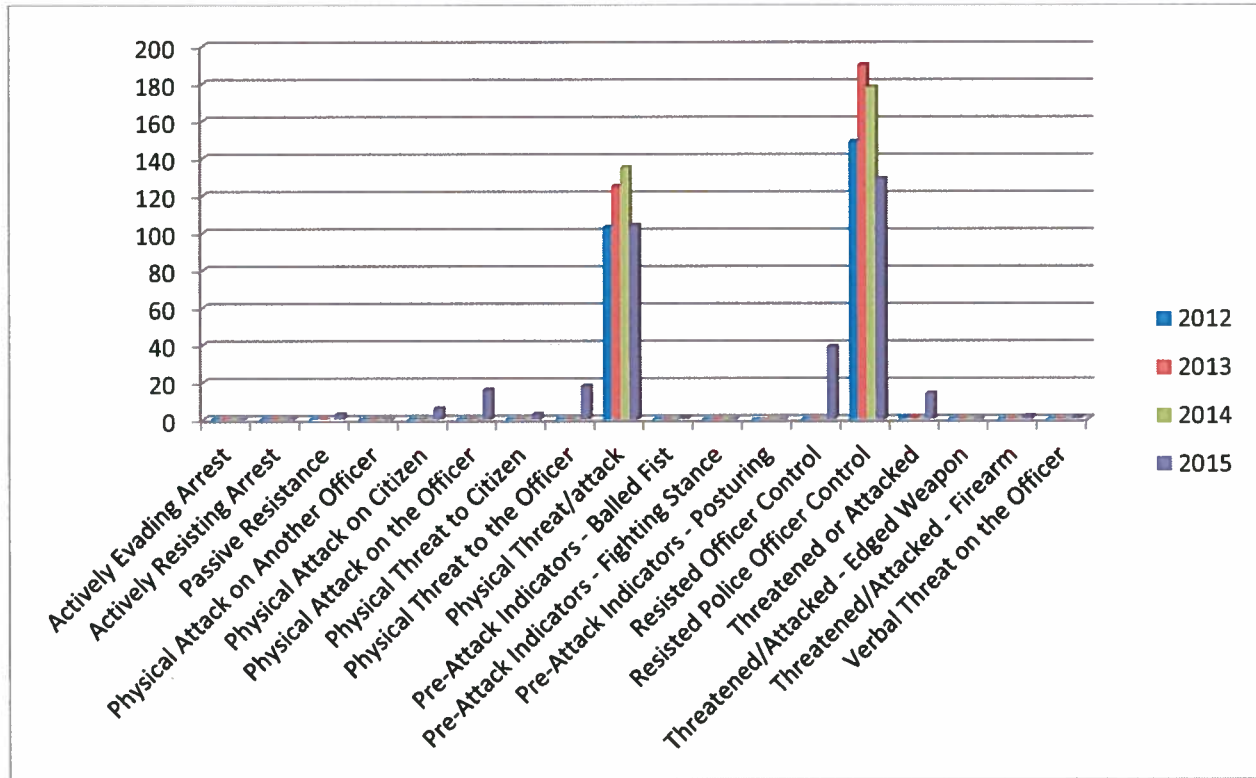
above table demonstrates 533 uses of force. The reason the total use of force reflected is greater than the number of officers or incidents of force is because, in some circumstances, multiple force options were utilized to control a suspect. For example; a compliance hold or hands on technique may not have been effective so the officer transitioned to a Taser (CED) or other technique.

It is important to note in 2016 officers will be reporting on a one-to-one basis using Blue Team, a digital use of force reporting system. This will significantly impact data collection in circumstances where more than one officer uses force on a single individual. Previously, the data was manually entered into a computer database under one incident naming each officer involved. It is anticipated capturing the data in this new way will reflect a significant change in how data is reported in future reports.

Call for Service Types

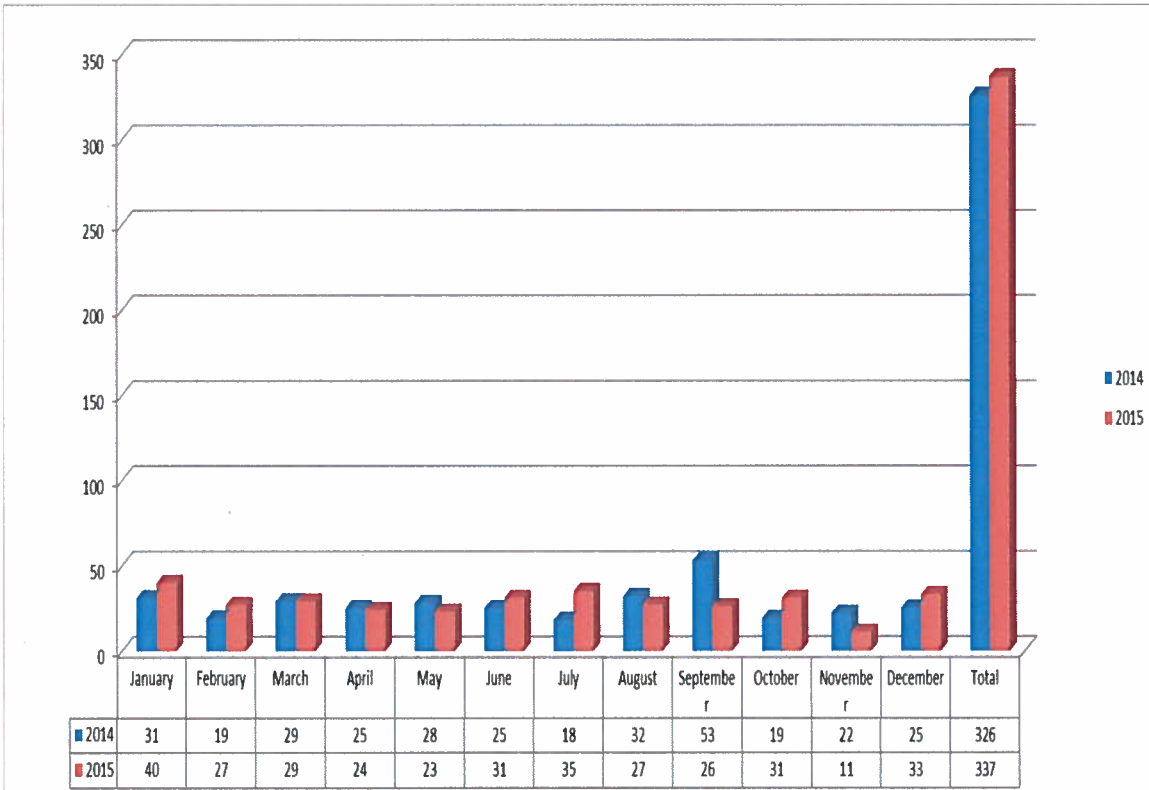
The majority use of force incidents occur during Crimes in Progress, followed by domestic disturbances, and traffic stops. There are discrepancies in these numbers from past reports. Over the last several years, Internal Affairs has become increasingly sophisticated regarding how data is collected, tracked, and categorized. Some categories, such as *Disturbance – Domestic*, have been added while the *Other* category has been removed. In 2016, CSPD IA implemented Blue Team, a digital method of recording Use of Force. With the implementation of BlueTeam, officers are entering data from pre-defined drop down menus options with the hope that reporting is improved. Data prior to 2016 should be considered “ballpark” figures with 2016 and beyond BlueTeam data more closely approaching the gold standard.

Precursor to the Use of Force



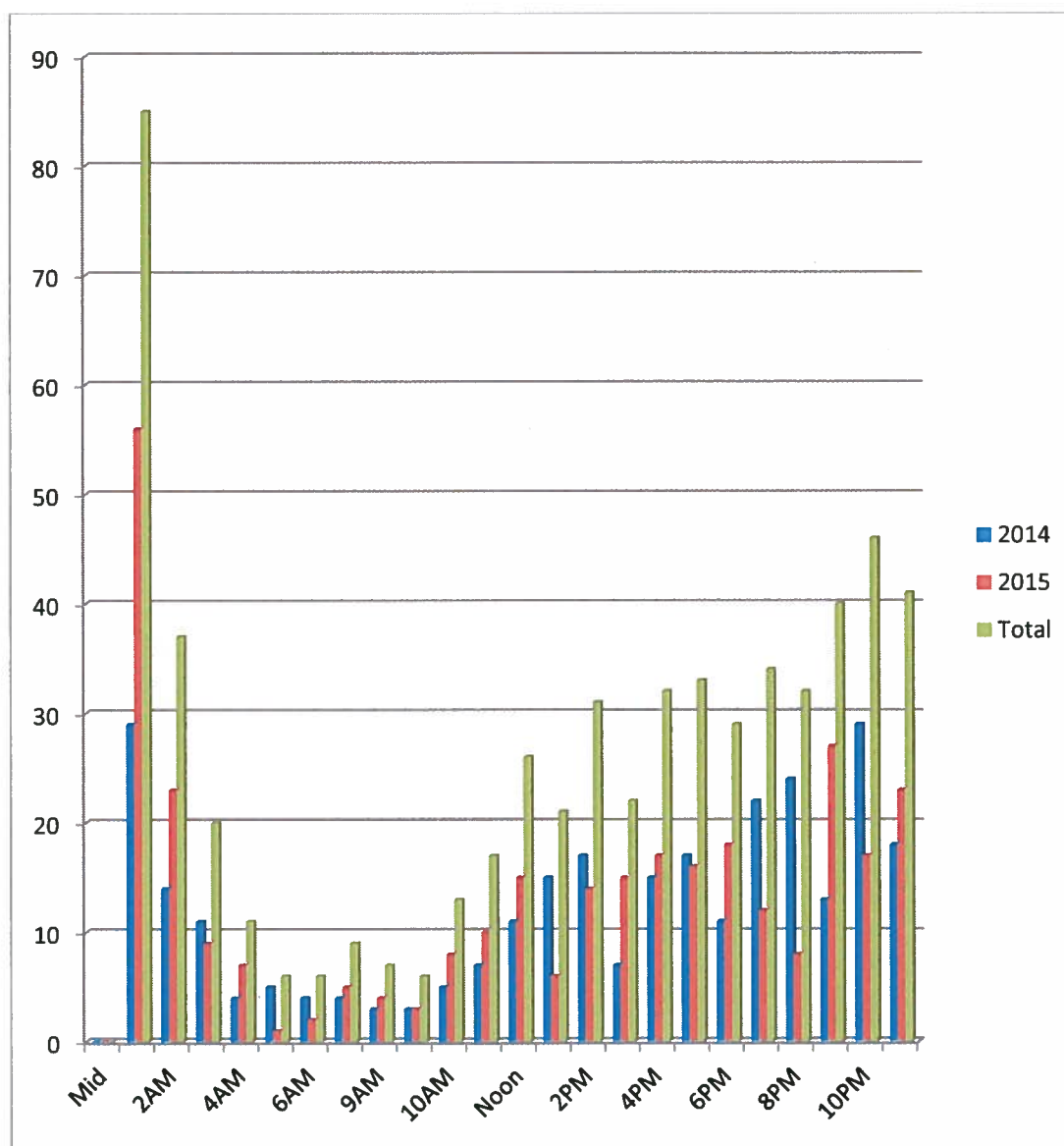
As mentioned with the other reports, the Internal Affairs Section has become increasingly sophisticated with the amount of information that is recorded. We have greatly expanded the amount of entry points to better ascertain the precursor events. As the years progress, we will see the benefits of this information as officers are entering the data points directly in the field using BlueTeam. For the last four years, the number one precursor leading to the use of force is when a citizen begins to resist an officer's physical attempt to control them. The second most frequent precursor leading to force is when a citizen physically becomes a physical threat or attacks an officer.

Use of Force by Month



The most frequent month officers used force in 2015 was January, with July being the second most frequent month. This is different from 2014 where force was used more frequently in September. The cause of these variations is uncertain.

Use of Force by Time



The most common time of the day that force is used by officers is between 8pm and 3am with the greatest use of force incidents occurring between 1am and 3am. These incidents are occurring with most bars are closing at 2am and frequently involve alcohol use by the citizen.

Worker Compensation Claims

In 2015, Risk Management reported twenty-five (25) claims of injury to officers while fighting or struggling with suspects during the year.

In 2014, Risk Management reported twenty-five (25) claims of injury to officers while fighting or struggling with suspects during the year.

In 2013, Risk Management reported fourteen (14) claims of injury to officers while fighting or struggling with suspects during the year.

In 2012, Risk Management reported twenty-three (23) claims of injury to officers while fighting or struggling with suspects during the year.

The total cost associated with claims in 2015 was \$134,344.17. This is a decrease from 2014 costs of \$137,825.89 by 2.53%.

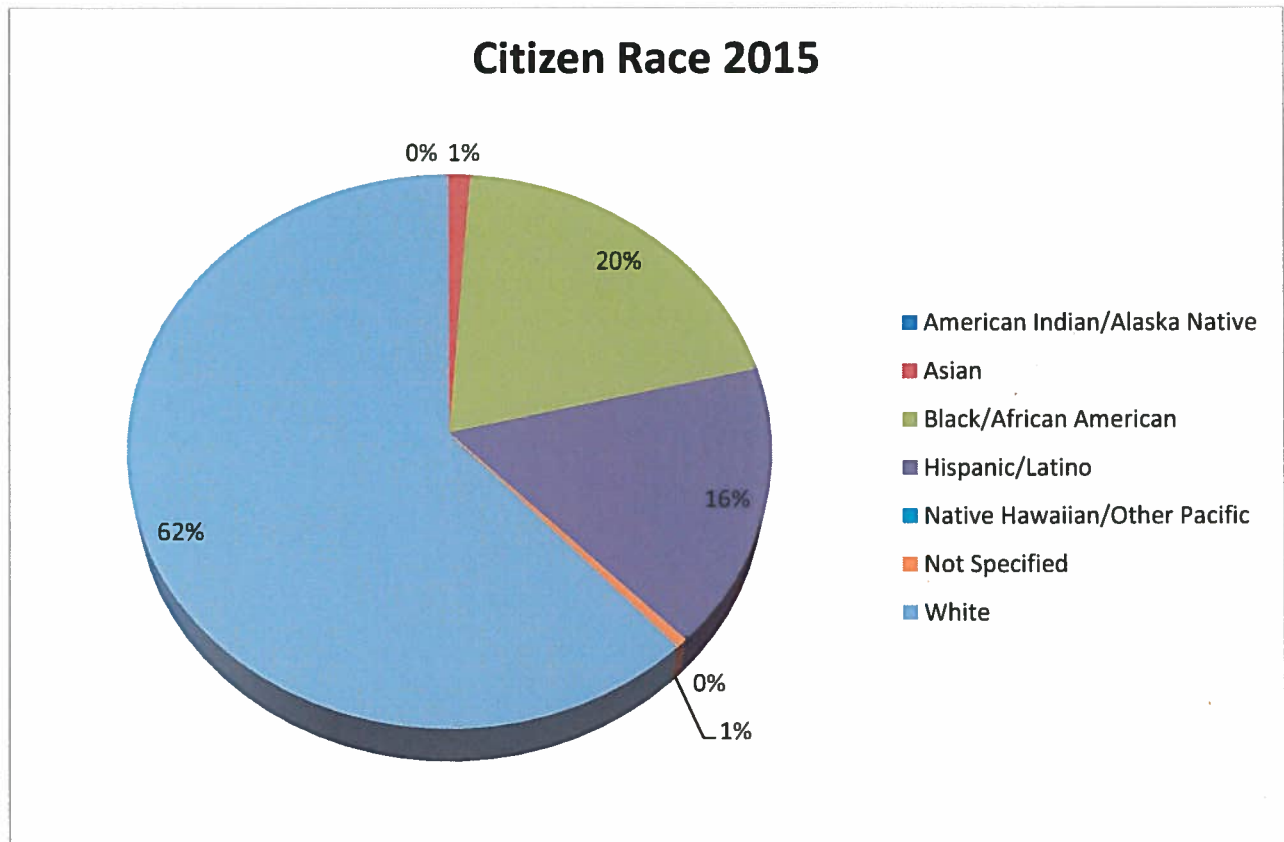
2015 Police Fighting/Struggling Claims			4/11/2016		
Row Labels	Count	Sum of Paid	Sum of Outstanding	Sum of Reserved	
Chest	1	\$ -	\$ -	\$ -	
Elbow	1	\$ 1,952.09	\$ 3,747.91	\$ 5,700.00	
Hand	1	\$ 432.77	\$ -	\$ 432.77	
Knee	1	\$ -	\$ -	\$ -	
Multiple Body Parts	2	\$ 12,131.00	\$ -	\$ 12,131.00	
Shoulder(s)	2	\$ 35,736.85	\$ 37,924.73	\$ 73,661.58	
Thumb	1	\$ 11,887.38	\$ -	\$ 11,887.38	
Toe(s)	1	\$ 879.74	\$ -	\$ 879.74	
Wrist	2	\$ 9,599.89	\$ 19,153.18	\$ 28,753.07	
Wrist(s) & Hand(s)	1	\$ 898.63	\$ -	\$ 898.63	
Grand Total	13	\$ 73,518.35	\$ 60,825.82	\$ 134,344.17	

Desc

Emp states pain R wrist when fighting & struggling with suspect.
 Emp states lt hand & wrist contusion when kicked by suspect during an arrest
 Emp states rt thumb fracture & exposure when runaway resisted being fingerprinted
 Emp states left knee strain when struggling with suspect
 Emp states bruising & swelling to right hand when struck suspect during struggle
 Emp states left shoulder strain during struggle with suspect
 Emp states rt elbow fracture, rt wrist strain, rt hand scratches & lt thigh bruise during struggle with suspect
 Emp states rt elbow & bicep pain after forcefully removing an individual from ER.
 Emp states head, rt hand, neck, rt mid back & lt shoulder strain when hit over the head with a wooden chair
 Emp states right wrist strain during struggle with resisting suspect
 Emp states rt big toe contusion when kicked suspect that was resisting arrest
 Emp states left side ribs strained when took suspect to ground during struggle
 Emp states right shoulder strain when struggling with a suspect

It should be noted that the number of injuries reported by officers on the use of force reporting forms and injuries reported to Risk Management can and do differ due to methods of reporting.

CITIZEN RACIAL DEMOGRAPHICS



The above chart shows the approximately percentages documenting the race of each citizen involved in a use of force incident. Racial data is determined by either self-reporting of the citizen or by the best assessment of the officer at the time of police contact with the citizen.

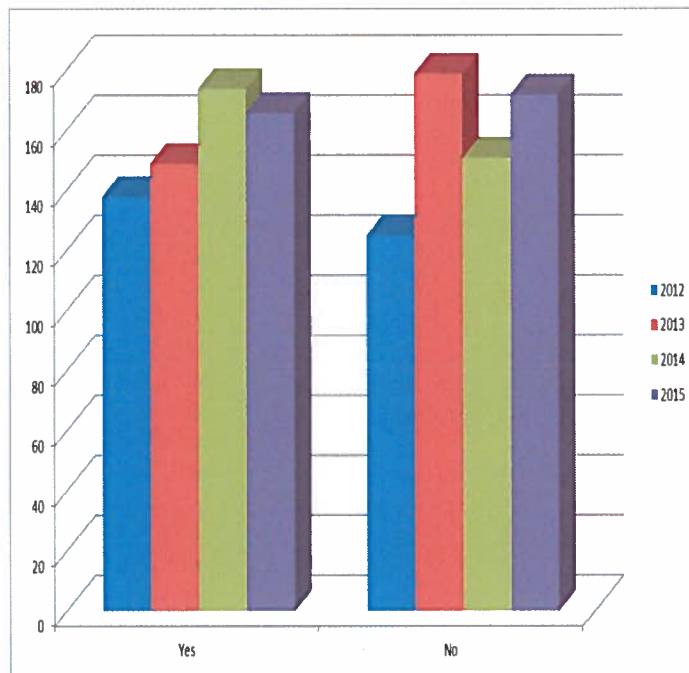
Citizen Injuries

In 2015, 166 citizens were injured during use of force contacts while 172 were not.

In 2014, 174 citizens were injured during use of force contacts while 151 were not.

In 2013, 149 citizens were injured during use of force contacts while 179 were not.

In 2012, 138 citizens were injured during use of force contacts while 125 were not.



Graph of Injured Citizens notated in "Yes" columns

Conclusions

There were more uses of force in 2015 than 2014. Use of force incidents have increased while worker compensation claims have decreased. There has been an increase in physical threats or assaults on officers compared to last year. Deadly force incidents also increased during 2015.

With the implementation of Blue Team in the beginning of 2016, we should see a vast improvement in the accuracy of use of force reporting. The retirement of the Response to Aggression form and requiring all of the officers to enter the same data will increase the reliability of the information.

Additionally, the major change of transitioning to a one for one reporting requirement will also see improvements on the accuracy of the data. Categories such as race reporting, number of incidents, injuries, locations, and equipment used will become more reliable.

No Further.